IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.S.RADHAKRISHNAN
&
THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

FRIDAY, THE 13TH JULY 2007 / 22ND ASHADHA 1929

WA.No. 2375 of 2001(C)

AGAINST THE JUDGEMENT/ORDER IN OP.24014/1998
.....

APPELLANT: PETITIONER

N.E.VARGHESE, AGED 51,
S/O.ITTAPPIRI,
NAMMANARIL HOUSE, MORAKKALA,
KUMARAPURAM, ALUVA 685 565
(FORMER SECRETARY OF KUNNATHUNADU
CO-OPERATIVE SERVICE BANK LTD. NO.E-3,
KUMARAPURAM P.O)

BY ADV. SRI.S.SREEKUMAR

RESPONDENTS:RESPONDENTS
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1. **JOINT REGISTRAR OF CO-OPERATIVE SOCIETIES, ERNAKULAM.**

2. **KUNNATHUNADU SERVICE CO-OPERATIVE BANK, KUMARAPURAM ALUVA, REPRESENTED BY ITS SECRETARY IN CHARGE.**

BY ADV. SMT.I.SHEELA DEVI
SRI.K.BALAKRISHNAN

THIS WRIT APPEAL HAVING COME UP FOR ADMISSION ON 13/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.S.Radhakrishnan
&
Antony Dominic, JJ.
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W.A.No.2375 of 2001
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Dated this the 13th day of July, 2007.

JUDGMENT

Radhakrishnan,J.

Original Petition was preferred seeking a writ of mandamus directing the first respondent to implement Ext.P5 order and taking action against the second respondent for violating the order issued by the first respondent and for other consequential reliefs. Learned single Judge found no reason to pay subsistence allowance after the period of termination. Petitioner was under suspension with effect from 15.1.1997. He was dismissed from service with effect from 15.1.1997 by order dated 15.12.1998. On that ground, he was not given subsistence allowance from 15.1.1997. Counsel for the appellant further submitted that salary prior to the date of suspension is also due to him.

2. We direct the second respondent to pay the subsistence

allowance due to the petitioner from 15.1.1997 onwards if not already paid within two months from the date of receipt of a copy of this judgment. For the payment of arrears of salary, he may approach the authorities. Writ Appeal is disposed of.

K.S.Radhakrishnan,
Judge.

Antony Dominic,
Judge.

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